

SM Exhibit Z

Page 1

1 UNITED STATES DISTRICT COURT.
2 SOUTHERN DISTRICT OF NEW YORK
3 -----X

4 ADRIAN SCHOOLCRAFT,
5 Plaintiff,

6 Case No:
7 10 CV 06005
8

9 - against -
10 THE CITY OF NEW YORK, ET AL.,
11 Defendants.
12 -----X
13 111 Broadway
14 New York, New York
15

16 June 18, 2014
17 10:28 a.m.
18

19 DEPOSITION OF CHRISTOPHER BROSCHART, pursuant
20 to Notice, taken at the above place, date and
21 time, before DENISE ZIVKU, a Notary Public
22 within and for the State of New York.
23

24
25

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1 CHRISTOPHER BROSCHEART
2 MS. PUBLICKER METTHAM: Just
3 speak slowly --
4 MR. SMITH: Everybody does that.
5 A. Tour 1443 by 2230, assignment A
6 1 lieutenant, 1445 present for duty at 81,
7 1515 roll call, Lieutenant Broschart, SRD
8 01/16/10 COD white. 1620 in RMP 2774
9 operated and inspected by P.O. Cruz N/V/O no
10 contraband. 1620 10-61, 82-60 88th Place,
11 Queens.
12 Q. Stop you right there for a
13 second. The 10-61 what does that mean?
14 A. That's the stationhouse
15 assignment.
16 Q. You got an assignment to go to
17 that address at 1620?
18 A. Yes, sir.
19 Q. Who gave you that assignment?
20 A. Captain Lauterborn.
21 Q. Can you proceed. Thank you.
22 A. You're welcome. 1645 84 at
23 82-60 88th Place, Queens.
24 Q. I apologize for interrupting.
25 Q. 84 means you arrived at that address; is

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2 MS. PUBLICKER METTHAM:

3 Objection.

4 A. I was in a car and I was on
5 patrol.

6 Q. According to go your memo book
7 at 1620, you were sent to Schoolcraft's
8 residence, right?

9 A. At 1620 I left for Schoolcraft's
10 residence.

11 Q. Were you given an order to do
12 that?

13 A. Yes, sir.

14 Q. By home?

15 A. Captain Lauterborn.

16 Q. What did he tell you?

17 A. That Schoolcraft had left
18 earlier without permission and he sent me to
19 go bring him back to the precinct.

20 Q. Did he say anything else to you?

21 MS. PUBLICKER METTHAM:

22 Objection. You could answer.

23 A. Can you rephrase that? I can't.

24 Q. No, I can't actually. You know
25 what I could do is -- where were you when

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1 CHRISTOPHER BROSCHEART
2 there to the time I left with Schoolcraft in
3 the ambulance.

4 Q. I understand that, but after
5 Lauterborn told you to sit tight and see if
6 Schoolcraft comes back, how long did you
7 just sit there and nothing happened?

8 MS. PUBLICKER METTHAM:

9 Objection.

10 A. About four hours.

11 Q. So is it fair to say for about
12 four hours you were waiting in front of
13 Schoolcraft's residence?

14 A. A couple of times we went back
15 and knocked on the door to see if anyone was
16 there.

17 Q. There was still again, no
18 response, right?

19 A. No response and I talked to the
20 landlord later on too.

21 Q. What did you talk to the
22 landlord about?

23 A. One of the times went back, the
24 landlord thought he might be in the
25 apartment 'cause he heard springs, he

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2 believed, from a bed.

3 Q. The landlord, the individual
4 you've been talking about, is this a male?

5 A. Yes.

6 Q. White male?

7 A. Yes.

8 Q. Did you ever speak with the
9 landlady or the white female?

10 MS. PUBLICKER METTHAM:

11 Objection. You could answer.

12 A. I can't recall.

13 Q. During the period you were
14 waiting outside of Schoolcraft's residence
15 or going upstairs and knocking a few times
16 on his door, did you speak with anybody else
17 at the 81 about the situation?

18 A. Just Lauterborn.

19 Q. What did you tell Lauterborn?

20 A. I believe he wasn't home. Then
21 when I heard from the landlord he thought he
22 might be there, I told him that. Then I saw
23 the TV going again, I told him that I think
24 he's home.

25 Q. During that four-hour period,

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2 Q. How were you communicating with
3 Lauterborn?

4 A. Cell phone, I believe.

5 Q. You were using your cell and
6 calling his cell phone?

7 A. I don't know if I was calling
8 his cell phone or the command itself. I
9 can't recall.

10 Q. Did Lauterborn tell you anything
11 else, other than he was going to respond?

12 A. Just that he was responding.
13 Also, he asked to see if I can get a key
14 from the landlord to the apartment.

15 Q. Did it strike you as unusual
16 that Lauterborn would be responding?

17 MS. PUBLICKER METTHAM:

18 Objection.

19 A. No.

20 Q. Did it strike you as unusual
21 that Lauterborn asked you to go get a key to
22 the apartment?

23 MS. PUBLICKER METTHAM:

24 Objection.

25 A. No.

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2 Q. Did you go get a key?
3 A. Yes, sir.
4 Q. How did you get that?
5 A. The landlord.
6 Q. What did you tell the landlord?
7 A. I can't recall exact words.
8 Q. Sum and substance, what did you
9 tell him?
10 A. Sum and substance that there's
11 another key just in -- 'cause we had to go
12 in and see if he's in the room 'cause we
13 were worried about him.
14 Q. Were you worried about him?
15 MS. PUBLICKER METTHAM:
16 Objection.
17 A. At the time, yes.
18 Q. When did you become worried
19 about him?
20 A. Over the course while I was
21 waiting.
22 Q. Why did you become worried about
23 Schoolcraft?
24 A. Just circumstances.
25 Q. What were the circumstances that

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2 Q. After Marino asked Mauriello
3 and/or Lauterborn to deal with him, then he
4 stepped out of the bedroom, what happened
5 next?

6 A. Just sum and substance, I don't
7 remember exactly what they said, they were
8 talking about Adrian, he had to go back to
9 the command and he didn't want to. Said in
10 sum and substance that he wasn't feeling
11 well and we had brought EMS in to take a
12 look at him 'cause he refused to go back to
13 the 81 at the time 'cause he wasn't feeling
14 well.

15 Q. Then what happened?

16 A. EMS examined him, took his blood
17 pressure, took his respiration. I don't
18 know what other test they did to him and
19 they found something wrong and said he
20 should go to the hospital. He had to go to
21 the hospital basically.

22 Q. Then what happened?

23 A. I don't know if it was Chief
24 Marino or Mauriello and they convinced him
25 to go to the hospital on his own. I talked

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2 to the EMS lieutenant and got her name. I
3 believe it was Hanlon from EMS 5. We walked
4 out with Adrian. I was behind him. I don't
5 know who was in front of me, who was in back
6 of me. He was going down the steps. He was
7 on the phone. Shortly before we got to the
8 bus, which was a short distance from the
9 house, I told my driver just continue
10 walking with him to the bus, let me go get
11 my hat out of the bus, so I can go to the
12 hospital with him. When I returned with my
13 hat, I saw him still on the cell phone,
14 walking fast right back into the apartment,
15 back up the stairs into the house back into
16 the apartment.

17 Q. You said that you got the
18 lieutenant from the fire department's name?

19 A. Yes, I believe it was Hanlon,
20 EMS 5.

21 Q. And did you make a note in your
22 memo book of that?

23 A. No, I don't have a memo book.
24 It just stuck out in my mind.

25 Q. So you didn't make a note of

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2 occasion?

3 A. I know it was taken in the
4 apartment. I don't know if it was taken in
5 the bus, because I never saw him the first
6 time in the bus.

7 Q. When Schoolcraft got into the
8 bus, was he still in the chair or was he
9 restrained in some way?

10 MS. PUBLICKER METTHAM:

11 Objection.

12 A. He was still handcuffed. I
13 can't remember if he stayed in the chair or
14 was put in the gurney. I can't remember.

15 Q. While he was being taken to the
16 hospital, was he handcuffed?

17 A. Yes.

18 Q. From behind?

19 A. Yes.

20 Q. So was he sitting or lying on
21 his hands?

22 MS. PUBLICKER METTHAM:

23 Objection.

24 A. He was sitting on an incline, if
25 I remember and every once in a while he

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2 would look up, look out the window.
3 Q. But he was cuffed from behind?
4 A. Behind, if I remember.
5 Q. Hands were behind him?
6 A. Hmm-mm.
7 Q. You have to say yes.
8 A. Yes.
9 Q. What do you recall happening in
10 the ride over to the hospital?
11 MS. PUBLICKER METTHAM:
12 Objection. You can answer.
13 A. I answered before, but EMS asked
14 him pedigree questions and every once in a
15 while when they weren't getting the answers,
16 I would ask Adrian the same question again
17 that they were asking and he would answer.
18 Q. Do you recall anything else
19 happening?
20 A. Not specifically.
21 Q. Do you recall him saying
22 anything, other than responding to your
23 questions that you asked him to provide the
24 information for?
25 A. Not that I recall.

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2 Q. What was his demeanor like in
3 the bus?

4 A. It was kind of weird to me. He
5 had a -- to me he had a big grin on his
6 face. He didn't seem overly concerned.
7 Like I said, he kept on popping his --
8 leaning up, looking out the car like he's
9 looking for the police car behind him. I'm
10 not sure what it was, but that's about it.
11 He was answering the questions they asked
12 him and that was it.

13 Q. Well, you said there were times
14 when he was not answering the questions?

15 A. I don't know if he heard them or
16 not. He wasn't necessarily not answering
17 'cause he didn't want to answer. I don't
18 know if he heard them or not.

19 Q. Do you recall what the
20 information was that he was providing to the
21 emergency medical technician in the bus that
22 was inconsistent --

23 MS. PUBLICKER METTHAM:

24 Objection.

25 Q. -- with what he provided in the

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2 apartment?

3 MS. PUBLICKER METTHAM:

4 Objection.

5 MR. RADOMISLI: Objection.

6 A. I remember it just being
7 pedigree and history and I can't remember to
8 this day -- it just strikes me as it was
9 inconsistent. Certain things you remember,
10 certain things you don't, but I don't know
11 exact what it was.

12 Q. Did anything else happen on the
13 ride over that you remember?

14 A. Not that I recall.

15 Q. What happened when you got to
16 the hospital?

17 A. My driver met us behind. He was
18 taken out of the bus and he was brought to
19 the triage.

20 Q. How was he brought to triage?

21 A. On a gurney, I believe.

22 Q. Was he handcuffed to the gurney?

23 A. When he got to triage I believe
24 is when we un-handcuffed him from the rear
25 and handcuffed him with one hand to the